

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAY'S INN WORLDWIDE, INC. : Civil Action No. 06-4669 (JLL) (ES)
Plaintiff, :
v. :
SWAMI, INC., et al. : **ORDER**
Defendants. :

:

Pursuant to Fed. R. Civ. P. 16, and for good cause showing,

IT IS on this 13th day of July, 2007,

ORDERED THAT:

1. On or before **August 6, 2007**, Plaintiff shall move for entry of default against any Defendants who have failed to answer or otherwise respond.
2. The parties shall have until **January 14, 2008** to conclude all discovery in this matter. No motions to compel discovery or resolve a discovery dispute shall be entered unless the motion is filed prior to the close of discovery.
3. Any motion to add new parties, whether by amended or third-party complaint or to amend pleadings, must be made returnable no later than **December 14, 2007**.
4. Rule 26 disclosures are to be exchanged on or before **September 12, 2007**.
5. The parties may serve interrogatories limited to twenty-five (25) single questions and requests for production of documents on or before **October 12, 2007**, to be responded to within thirty (30) days of receipt.
6. The number of depositions to be taken by each side shall not exceed **ten (10)**. No objections to questions posed at depositions shall be made other than as to lack of foundation, form, or privilege. *See* Fed. R. Civ. P. 32(d)(3)(A)
7. On or before **November 14, 2007**, the parties shall notify the undersigned's chambers in writing to advise the Court as to their respective intentions regarding expert witnesses. Thereafter, the Court will enter an appropriate Order setting deadlines for expert discovery.

8. On or before **January 25, 2008**, all parties shall file with the Clerk of the Court an original and a copy of a narrative written statement of facts that will be offered by oral or documentary evidence at trial, and a list of the names and addresses of all witnesses with a summary of their expected testimony. A copy shall be served on all parties.
9. Failure to fully disclose, in the narrative statement, the substance of the evidence to be offered at trial will result in the exclusion of that evidence at trial. The only exceptions will be (a) matters which the Court determines were not discoverable at the time of the preparation of the Final Pretrial Order; (b) privileged matters; and (c) matters to be used solely for impeachment purposes.
10. Please advise the Clerk of the Court, in writing, of any change of address within 15 days of a change of address.
11. The dates set forth in this Scheduling Order are to be adhered to strictly. The imposition of sanctions, including dismissal or default, will be entertained for non-compliance.

s/ Esther Salas
Esther Salas
UNITED STATES MAGISTRATE JUDGE